

For Immediate Release

**ON INTERNATIONAL WOMEN'S DAY, GJC SALUTES THE NY CITY BAR ASSOCIATION FOR
CHALLENGING THE LEGALITY OF THE US ABORTION PROHIBITIONS IMPOSED ON US
HUMANITARIAN AID FOR WOMEN RAPED IN ARMED CONFLICT**

On March 4, 2011, the Association of the Bar of New York, on behalf of some 22,000 members, wrote to President Obama urging the Administration to lift the abortion prohibitions put on all US humanitarian aid for women and girl survivors of rape used as a weapon of war. (To view the letter, go to <http://www.nycbar.org/pdf/report/uploads/20072069-LettertoObamaReNon-DiscriminatoryMedicalCaretoWomen.pdf>) The Association argues that “the denial of the full range of medically appropriate care to victims of rape in situations of armed conflict constitutes a violation of their rights under applicable international law.”

This historic letter, signed by Association President Samuel W. Seymour, requests that President Obama issue an executive order rescinding all restrictions on U.S. humanitarian assistance “that would prevent abortion as medically indicated from being provided in situations of armed conflict.” The letter references Norway’s recommendation that the United States lift these restrictions made at the Universal Periodic Review of the US at the Human Rights Council on November 5, 2010.

The letter makes clear that the laws of war, including the Geneva Conventions, prohibit discriminatory treatment of women victims of war rape. Further, the Association notes that given “abortion services and counseling constitute medically appropriate treatment for survivors of rape who have been impregnated,” the denial of such services has been held to, “constitute torture or cruel, inhuman or degrading treatment.” The letter supports the legal arguments first set forth in the GJC publication, “The Right to an Abortion for Girls and Women Raped in Armed Conflict: states’ positive obligations to provide non-discriminatory medical care under the Geneva Conventions.” (To view GJC’s publication, go to <http://globaljusticecenter.net/publications/Reports/GJCbrief-final.pdf>)

The Bar Association points out that the interpretation of abortion restrictions adopted by USAID “goes beyond” the statutory language in the Foreign Assistance Act, and thus affects, “virtually all contracts with foreign governments, and humanitarian and non-governmental organizations,” contributing to the routine denial of abortions for women rape victims.

Global Justice Center President Janet Benshoof applauds the call for an executive order as “an opportunity for the US to be a standard bearer for applying the laws of war to women survivors of rape in armed conflict.”

Benshoof adds, “Just as the President’s Executive Order lifting the torture memos was critical to ensuring US compliance with the Geneva Conventions, so too is an order lifting the abortion prohibitions.”



Benshoof also pointed out that, “The protection given the ‘wounded and sick’ under the laws of war is one of the oldest and most universally accepted mandates of international law; it’s about time women were included in this category.”

The GJC calls for widespread support for this request and commends the Association of the New York City Bar for its strong stance on behalf of girls and women on International Women’s Day.

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